Arkansas Department of Energy and Environment - Division of Environmental Quality Office of Land Resources Update: Susan Speake, CPM, Deputy Associate Director Arkansas Environmental Federation Land Seminar Presentation



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Ms. Susan Speake undertook a presentation at the Arkansas Environmental Federation April 16th Land Seminar titled:

Office of Land Resources Update ("Presentation").

Ms. Speake serves as Deputy Associate Director in the Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") Office of Land Resources ("OLR").

Her Presentation updated a number of programs developed and implemented by DEQ's OLR.

Activities and programs that fall within the scope of OLR include:

- Brownfield Program.
- Underground/Regulated Storage Tanks.
- Hazardous Waste.
- Solid Waste.
- Solid Waste Infrastructure and Recycling.
- Tire Accountability Program.
- Solid Waste Facility Operator Licensing.

Ms. Speake's Presentation had three principal components:

- Freedom of Information Act, Legislative Process, and Environmental Laws.
- Remedial Action and Brownfield.
- Solid Waste Infrastructure for Recycling ("SWIFR") Program.

The Freedom of Information Act ("FOIA") was noted to include certain exceptions. DEQ offices were stated to have received in 2024, the following number of FOIA requests:

- Office of Water Quality – 84.
- Office of Air Quality – 96.
- Office of Land Resources – 623.

A detailed discussion of the Arkansas legislative process was undertaken noting the stages:

1. Introduction of bill.
2. Referral of bill.
3. Committee action.
4. Floor action.
5. Passage in one chamber.
6. Conference Committee.
7. Final passage.
8. Gubernatorial action.

References were made to laws that were passed this session relevant to DEQ such as:

- HB 1121 act 211 – Land Transfer.
- Repealed the law concerning the transfer of tax-forfeited land to state institutions.
- HB1383 Act 148 – Amend PSTTF.
- Amend petroleum trust fund and modify the amount of the payment for corrective action. Increase from 1 million to 2 million.
- HB 1410 act 323 – Inspection Notice.
- No public employee will provide advance notice of an inspection to improperly influence the outcome of the inspection.

The history of Arkansas Brownfield Law was discussed including definition of the term which is generally noted to include:

…a parcel of property where commercial, industrial, or agricultural use may have contaminated the site with a hazardous substance, complicating prospects for expansion, redevelopment, or reuse.

Brownfield goals were noted to include:

- Provide continued protection of human health and the environment.
- Encourage redevelopment as a sound land-use management policy.

Tasks referenced in the Brownfield process include:

- Develop Risk Based cleanup standards.
- Enable prospective purchasers to determine liability “up front”.
- Develop a schedule-oriented program that can keep pace with real estate transactions.

Three examples were referenced:

- Renovation of the EC Crossett Youth Center in Crossett.
- Ongoing construction of the Sultana Disaster Museum in Marion, AR.
- Renovation of the former Smith Hospital in Paris, AR.

SWIF grant funding was discussed. However, of particular note was DEQ’s work on updating the Statewide Solid Waste Management Plan. The purpose of this plan is stated to be to maximize the efficiency of the regional solid waste management systems. The plan establishes minimum requirements for all regional solid waste management plans which include:

- Strategic planning.

- Reporting.
- Public notice and participation.
- Services.
- Solutions to problems and issues.

Six major goal areas are stated to be established:

- Collection.
- Disposal.
- Recycling.
- Waste Reduction.
- Special Materials.
- Education.

The impetus for updating the plan is stated to include:

- The plan is outdated (not updated since 2014).
- New challenges.
- Planning areas have changed.

The steps involved in the update of the plan were laid out including a survey for which DEQ is soliciting feedback with five questions.

Areas of focus based on results are stated to include:

- Education.
- Rural access.
- Benefits.
- Government action.

A copy of Ms. Speake's Presentation slides can be downloaded here.